## Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

CPNI COMPLIANCE CERTIFICATION OF

OF

WA-CLEC LLC; CA-CLEC LLC; PA-CLEC LLC; MD- CLEC LLC; VA-CLEC
LLC; NY- CLEC LLC; NJ- CLEC LLC

## EB-06-TC-060/WC DOCKET NO. 05-196

Pursuant to the Public Notice issued by the Enforcement Bureau on January 30, 2006, DA 06-223, the local exchange companies operating under the names of WACLEC LLC; CA-CLEC LLC; PA-CLEC LLC; MD-CLEC LLC; VA-CLEC LLC; NY-CLEC LLC; NJ-CLEC LLC (the "CLEC Companies"), by their managing member, Crown Castle Solutions Corp., hereby file their compliance certificate required by Section 64.2009(e) of the Commission's rules.

## CERFITICATE OF COMPLIANCE

I, Holly Ernst Groschner, Vice President – Legal, of Crown Castle Solutions Corp., hereby certify that I have personal knowledge that the CLEC Companies have not acquired confidential proprietary network information ("CPNI") as governed by 47 C.F.R. 64.2001, et. seq., and if any were acquired, the CLEC Companies' operations comply with 47 C.F.R. 64.2001, et. seq.

Crown Castle Solutions Corp.

On behalf of the CLEC Companies

Harry

Holly Efnst Groschner Vice President – Lega

Vice President - Lega

Dated: February 6, 2006

## STATEMENT CONCERNING PROCEDURES ENSURING COMPLIANCE WITH CPNI REGULATIONS

The technology and operating procedures of WA-CLEC LLC; CA-CLEC LLC; PA-CLEC LLC; MD- CLEC LLC; VA-CLEC LLC; NY- CLEC LLC; NJ- CLEC LLC (the "CLEC Companies") ensure that the Company complies with Part 64, Section 2001 et. seq. of the FCC rules governing the use of CPNI.

To date the CLEC Companies have offered transport services only to commercial mobile radio service ("CMRS") licensees through fiber optic cable between the licensees' radio base stations and transmitters or receivers owned by the licensees or the CLEC Companies. These distributed antenna system services offered by the CLEC Companies are a "dark conduit" for the wireless services provided by the CMRS licensees to their respective subscribers. The distributed antenna transport services provided by the CLEC Companies do not require or allow access to the CPNI of the CMRS licensees' subscribers. Radio frequencies utilized by the CMRS licensees to provide wireless services are routed, configured and provisioned by the CMRS licensees. To the extent that the location and frequencies used by CMRS licensees constitute CPNI regulated by Part 64, the information regarding the frequencies and capacity used by wireless carriers are subject to a nondisclosure agreement with the CLEC Companies.

In further support of their certification of compliance, the CLEC Companies, individually and collectively, state that:

 Statutory responsibility to protect its customers' CPNI is acknowledged by the CLEC Companies. The CLEC Companies do not sell, rent or otherwise disclose customers' CPNI to other entities. The CLEC Companies do not use CPNI to market service offerings to subscribers.

- 2) Should the CLEC Companies be in possession of CPNI, the CLEC Companies are bound by contract to not release or disclose CPNI to a third party except pursuant to a valid request from law enforcement, the federal judiciary or other appropriate authority; or pursuant to express customer approval.
- 3) If the CLEC Companies were in possession of CPNI and if any CLEC Company should disclose any CPNI to third parties (pursuant to a valid request from law enforcement, the federal judiciary or other appropriate authority) such CLEC Company would maintain a record, for a period of at least one year, of those circumstances in which CPNI is disclosed or provided.
- 4) The CLEC Companies' employees have been educated about CPNI, the federal regulations and the CLEC Companies' statutory responsibility to its customers with regard to CPNI. Any unauthorized use, sale, or other unauthorized disclosure of CPNI by any employee would subject the employee to disciplinary action, up to and including immediate dismissal. Further, the CLEC Companies do not use, disclose or permit access to customers' CPNI for the purposes of identifying customers placing calls to competing carriers.